

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Joezell Williams II

Docket No. 246706

LC No. 02-004374

Bill Schuette  
Presiding Judge

David H. Sawyer

Peter D. O'Connell  
Judges

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The Court orders that the motion for reconsideration is DENIED.

Although we did not separately address in our opinion the issue raised in the supplemental brief, we have considered the issue and are not persuaded that the entry by the police and the subsequent arrest were unlawful. Therefore, the evidence discovered in the room was not improperly seized. Defendant did have a reasonable expectation of privacy even if he is regarded as only an overnight guest. *Minnesota v Olson*, 495 US 91; 110 S Ct 1684; 109 L Ed 2d 85 (1990). Nevertheless, the entry is valid because the homeowner, defendant's sister, had either the actual or apparent authority to grant consent to the police. *United States v Matlock*, 415 US 164; 94 S Ct 988; 39 L Ed 2d 242 (1974); see also *Illinois v Rodriguez*, 497 US 177; 100 S Ct 2793; 111 L Ed 2d 148 (1990) (search valid if police had reasonable belief that person giving consent had common authority over the premises).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 02 2005

Date

*Sandra Schultz Mengel*  
Chief Clerk